

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**CRYSTAL SEAMAN,**

**Plaintiff,**

**vs.**

**FOOD GIANT SUPERMARKETS, INC.,**

**Defendant.**

\*

\*

\*

\*

\*

\*

\*

\*

\*

**Case Number: 2:05-CV-00414-T**

**REQUEST FOR RULING ON DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT**

**COMES NOW** Food Giant, Inc., Defendant in the above-styled cause, by and through undersigned counsel and respectfully requests that this Court rule on its Motion for Summary Judgment.

As grounds for this request, Defendant shows as follows:

1. Defendant filed a Motion for Summary Judgment on all the claims in Plaintiff's Complaint on September 14, 2005. Plaintiff filed a response to Defendant's Motion for Summary Judgment on October 14, 2005. Subsequently, Defendant filed a reply to Plaintiff's response on October 24, 2005.

2. As of the date of this request, the Court has not ruled on this Motion for Summary Judgment.

3. Defendant believes this Motion for Summary Judgment is properly supported and due to be granted. As such, Defendant does not want to move forward with the expense of preparing this case for trial and disrupting potential witnesses' schedules if there is a possibility that the Court will grant its Motion for Summary Judgment.

WHEREFORE, the premises considered, Defendant Food Giant, Inc. respectfully requests that this Court provide the parties with a ruling on its Motion for Summary Judgment.

Respectfully submitted,

s/s RICHARD B. JOHNSON  
M. WARREN BUTLER  
BUTLM3190  
ASB-3190-R56M  
RICHARD B. JOHNSON  
JOHNR8700  
ASB-8700-I65-J  
Attorneys for Defendants  
Lyons, Pipes & Cook, P.C.  
P. O. Box 2727  
Mobile, AL 36652  
Phone: (251) 441-8229  
Fax: (251) 433-1820  
E-mail: [MWB@lpclaw.com](mailto:MWB@lpclaw.com)

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 21<sup>st</sup> day of June, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of each filing to the following:

Charles W. Blakeney, Esq.  
P. O. Box 100  
Geneva, AL 36340

David J. Harrison, Esq.  
P. O. Box 994  
Geneva, AL 36340

s/s RICHARD B. JOHNSON

M. WARREN BUTLER

BUTLM3190

ASB-3190-R56M

RICHARD B. JOHNSON

JOHNR8700

ASB-8700-I65-J

Attorneys for Defendant

Lyons, Pipes & Cook, P.C.

P. O. Box 2727

Mobile, AL 36652

Phone: (251) 441-8229

Fax: (251) 433-1820

E-mail: [MWB@lpclaw.com](mailto:MWB@lpclaw.com)

[RBJ@lpclaw.com](mailto:RBJ@lpclaw.com)